

#16

Docket No. 01723326

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Jeffrey Owen Phillips

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Serial No.: 09/481,207

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Filed: January 11, 2000

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For: Novel Substituted

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Benzimidazole Dosage Forms

)

and Method of Using Same

)

)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of Deposit: July 11, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to U.S. Patent and Trademark Office, Washington, DC 20231

Tim Hubalik

(typed or printed name of person mailing paper or fee)



(signature of person mailing paper or fee)

TRANSMITTAL LETTER

Assistant Commissioner for Patents
 Washington, DC 20231

Dear Sir:

Enclosed herewith is the Information Disclosure Statement for the above-captioned case.

Also enclosed are:

1. Information Disclosure Statement;
2. PTO Form 1449;
3. One (1) copy of 333 references (Nos. 1-333, except Nos. 64-65, 88, 99, 108-110, 114, 118, 120, 132, 136, 139-188, 191, 193-196, 200-201 and 205-207). Please note that the missing copies will be supplied in the next several weeks, and that all of the references are being hand-delivered to the Examiner per her request;
4. Check in the amount of \$180; and
5. Return-receipt postcard.

The Commissioner is hereby authorized to charge any additional filing fees required under Rule 1.17 concerning this transaction, or to credit any overpayment to Deposit Account 13-0019. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

THE CURATORS OF THE
UNIVERSITY OF MISSOURI

By: MAYER, BROWN & PLATT

By: 
Joseph A. Mahoney (Reg. No. 38,956)

Dated: July 11, 2001

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July 11, 2001

VIA AIR COURIER

Matt Kasap
Matt Kasap, Inc.
2001 Jefferson Davis Hwy.
Suite 212
Arlington, VA 22202

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U.S. PATENT AND TRADEMARK OFFICE

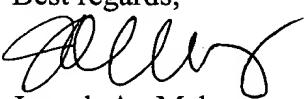
Re: Information Disclosure Statement for University of Missouri For NOVEL
SUBSTITUTED BENZIMIDAZOLE DOSAGE FORMS AND METHOD
OF USING SAME
Serial No.: 09/481,207
Our Reference No.: 01723326

Dear Matt:

Enclosed please find a copy of the Information Disclosure Statement (3 boxes) for the above case. The Examiner requested that we hand-deliver it to her so please do so as soon as possible to:

Examiner Jane Fan
Art Unit 1625
USPTO

Thank you and please call with any questions.

Best regards,

Joseph A. Mahoney

JAM/gje

enclosure

#16
re.
2/20/01IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:)
Jeffrey Owen Phillips)
Serial No.: 09/481,207) Examiner: Fan, J.
Filed: January 11, 2000) Group Art Unit: 1625
For: Novel Substituted Benzimidazole)
Dosage Forms and Method of)
Using Same)

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

The following information is submitted pursuant to 37 CFR §§ 1.97-1.98 in accordance with Applicant's duty of disclosure under 37 CFR § 1.56(a). This submission is not intended to constitute an admission that any patent, publication or other information cited herein is "prior art" as to the invention claimed. In accordance with 37 CFR §§ 1.97(g)-(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that other material information as defined by 37 CFR § 1.56(a) exists.

Applicant submits herewith Form PTO 1449 listing the references cited in this Information Disclosure Statement. Applicant respectfully requests that the Examiner (1) initial each reference listed on the enclosed Form PTO 1449 indicating that the Examiner has considered and made those references of record in this application and (2) return a copy of the initialed Form PTO 1449 to Applicant.

Please note that this is Applicant's second Information Disclosure Statement submitted in this case. Applicant understands from the Examiner that Applicant's previous filing of February 28, 2001, which included 120 references, has never been delivered to the Examiner and is assumed to be lost by the PTO since Applicant does have confirmation of its receipt by the PTO. In addition, the Examiner has explained that the Information Disclosure Statement submitted with the parent application Ser. No. 08/680,376, now U.S. Pat. No. 5,840,737, cannot be located by the PTO. Consequently, the Examiner has asked that Applicant resubmit all such references, along with any new references.

Further, due to the large number of references submitted, the Examiner has requested that Applicant identify the most pertinent ones and highlight the relevant sections of the same. Applicant has attempted to comply with this request. However, Applicant's action to comply is not to be construed as an admission that such identified references are prior art, or that they are more or less pertinent than any of the other references because reasonable minds could differ as to what is pertinent.

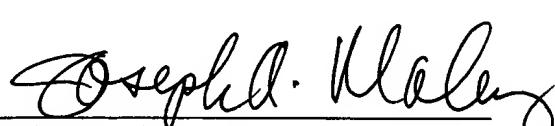
Please also note that Applicant is in the process of obtaining several of the references and will be submitting these along with the corresponding numbered tabs to be placed into the tabbed notebooks submitted to the Examiner herewith. All references are being hand-delivered to the Examiner pursuant to her request.

This Information Disclosure Statement is being filed after the first office action on the merits. Accordingly, Applicant encloses the fee of \$180.00 required under 37 CFR § 1.17(p). Should there be any additional fees required, the Commissioner is authorized to charge Deposit Account No. 13-0019.

Respectfully submitted,

THE CURATORS OF THE
UNIVERSITY OF MISSOURI

By: MAYER, BROWN & PLATT

By: 
Joseph A. Mahoney (Reg. No. 38,956)

Dated: July 11, 2001

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